

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Lifeline and Link Up Reform and Modernization)	WC Docket No. 11-42
)	
Lifeline and Link Up)	WC Docket No. 03-109
)	
Federal-State Joint Board on Universal Service)	CC Docket No. 96-45
)	
Advancing Broadband Availability Through Digital Literacy Training)	WC Docket No. 12-23
)	

COMMENTS OF RCA—THE COMPETITIVE CARRIERS ASSOCIATION

RCA—The Competitive Carriers Association (“RCA”) submits these comments in response to the petition for waiver filed by the United States Telecom Association and other organizations in the above-captioned proceeding.¹ The Petition seeks a waiver and an approximate six-month extension of the effective date of several recent changes to the Lifeline program to permit more time for necessary implementation efforts.² As discussed below, if the Commission grants the Petition, it should extend the same relief to all eligible telecommunications carriers (“ETCs”) that must comply with these requirements, including in particular competitive ETCs (“CETCs”).

¹ *Comment Sought on USTelecom et al. Petition for Waiver and Clarification of Lifeline Reform Order*, Public Notice, WC Docket Nos. 11-42, 03-109, 12-23; CC Docket No. 96-45, DA 12-387 (rel. Mar. 9, 2012) (“Public Notice”); *see also* Petition for Waiver and Clarification of the United States Telecom Association, *et al.*, WC Docket No. 11-42 *et al.* (filed Mar. 9, 2012) (“Petition”). RCA limits these comments to the request for a waiver, and takes no position on the request for clarification.

² *Lifeline and Link Up Reform and Modernization*, Report and Order and Further Notice of Proposed Rulemaking, WC Docket No. 11-24 *et al.*, FCC 12-11 (rel. Feb. 6, 2012) (“*Lifeline Reform Order*”).

RCA is the principal association representing competitive wireless carriers, and many of its members are CETCs that participate in the Lifeline program. RCA commends the Commission for its interest in simplifying and modernizing the program to better meet the needs of low-income consumers. While recognizing the importance of the Commission's changes to the current Lifeline rate structure and its adoption of measures to prevent waste, fraud, and abuse,³ RCA's member companies face many of the same implementation challenges described in the Petition. Indeed, like the wireline postpaid ETCs on which the Petition focuses, wireless CETCs must modify their billing systems to account for the new rates, develop new training for employees and enrollment materials for subscribers, and update verification and other procedures, all of which require a significant amount of time and effort. While RCA's affected members are diligently pursuing these tasks, it would be unduly burdensome for them to complete all of this work within the compressed timeframe that the Commission has provided, as the Petition likewise observes.⁴

Although the Petition purports to seek a waiver and extension of the compliance deadline to October 1, 2012 "for postpaid ETCs"⁵—which by definition encompasses postpaid CETCs as well⁶—it is not entirely clear whether that is the Petition's intended scope. All ETCs that offer

³ Petition at 2 (describing the newly established interim flat-rate reimbursement amount, elimination of Link Up program in non-Tribal lands for all eligible ETCs, and changes to calculation of Link Up discount for eligible residents in Tribal lands).

⁴ Petition at 6-7. Although wireless CETCs may not face the same tariffing requirements that apply to ETCs that are incumbent local exchange carriers, *see id.* at 5-6, the Petition observes that the billing system and related changes alone warrant an extension. *See id.* at 6 (stating estimate that the required system, procedural, and program modifications would take more than 120 days to complete).

⁵ Petition at 2; *see also* Public Notice at 1.

⁶ *See, e.g.*, USAC – High Cost – Step 1, Understanding What Is Supported, available at <http://www.usac.org/hc/competitive-carriers/step01/> ("Only eligible telecommunications

Lifeline service face comparable implementation burdens. Furthermore, ETCs face these burdens regardless of whether such charges are collected in arrears or in advance. Therefore, if the Commission grants the Petition, it should extend the same relief to *all* ETCs that offer Lifeline service, including in particular CETCs. Failure to do so would unjustifiably force CETCs to implement significant rule changes in far less time than would be afforded to incumbent carriers that are subject to the same rules, even though CETCs typically face larger burdens because they have smaller compliance teams and fewer resources. Such disparate treatment would result in significant competitive distortions. Moreover, maintaining divergent compliance timelines for different categories of ETCs would only produce confusion and complexity for consumers—as different procedures would apply depending on the choice of carrier—at a time when the Commission is attempting to simplify the administration of the Lifeline program.⁷

Accordingly, the Commission should ensure that any waiver/extension granted to wireline postpaid ETCs also applies to wireless CETCs.

Respectfully submitted,

/s/

Rebecca Murphy Thompson
RCA—THE COMPETITIVE CARRIERS ASSOCIATION
805 Fifteenth Street, N.W., Suite 401
Washington, DC 20005

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carriers (ETCs) - whether incumbent local exchange carriers (ILECs) or competitive ETC (CETC) carriers - receive High Cost support.”).

⁷ See, e.g., *Lifeline Reform Order* ¶ 58 (noting that the flat-rate “will be provided for all subscribers equally, regardless of whether they subscribe to wireline or wireless Lifeline service, and will significantly simplify administration for ETCs”); *id.* ¶ 54 (noting intent “to simplify administration” of these programs).